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SENATE BILL 52

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Mary Kay Papen

FOR THE NEW MEXICO FINANCE AUTHORITY OVERSIGHT COMMITTEE

AN ACT

RELATING TO THE BEHAVIORAL HEALTH CAPITAL FUND; MAKING A  
DISTRIBUTION OF CIGARETTE TAX REVENUES TO THE FUND; MAKING AN  
APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 7-1-6.11 NMSA 1978 (being Laws 1983,  
Chapter 211, Section 16, as amended) is amended to read:

"7-1-6.11. DISTRIBUTIONS OF CIGARETTE TAXES. --

A. A distribution pursuant to Section 7-1-6.1 NMSA  
1978 shall be made to the county and municipality recreational  
fund in an amount equal to one and thirty-six hundredths  
percent of the net receipts, exclusive of penalties and  
interest, attributable to the cigarette tax.

B. A distribution pursuant to Section 7-1-6.1 NMSA  
1978 shall be made to the county and municipal cigarette tax

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1 fund in an amount equal to two and seventy-two hundredths  
2 percent of the net receipts, exclusive of penalties and  
3 interest, attributable to the cigarette tax.

4 C. A distribution pursuant to Section 7-1-6.1 NMSA  
5 1978 shall be made to the cancer research and treatment center  
6 at the university of New Mexico health sciences center in an  
7 amount equal to one and thirty-six hundredths percent of the  
8 net receipts, exclusive of penalties and interest, attributable  
9 to the cigarette tax.

10 D. A distribution pursuant to Section 7-1-6.1 NMSA  
11 1978 shall be made to the New Mexico finance authority in an  
12 amount equal to two and four-hundredths percent of the net  
13 receipts, exclusive of penalties and interest, attributable to  
14 the cigarette tax.

15 E. A distribution pursuant to Section 7-1-6.1 NMSA  
16 1978 in an amount equal to fourteen and fifty-two hundredths  
17 percent of the net receipts, exclusive of penalties and  
18 interest, attributable to the cigarette tax, shall be made, on  
19 behalf of and for the benefit of the university of New Mexico  
20 health sciences center, to the New Mexico finance authority.

21 F. A distribution pursuant to Section 7-1-6.1 NMSA  
22 1978 in an amount equal to six and eleven-hundredths percent of  
23 the net receipts, exclusive of penalties and interest,  
24 attributable to the cigarette tax, shall be made to the New  
25 Mexico finance authority for improvements to department of

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1 health facilities.

2 G. A distribution pursuant to Section 7-1-6.1 NMSA  
3 1978 in an amount equal to fifteen and ninety-five hundredths  
4 percent of the net receipts, exclusive of penalties and  
5 interest, attributable to the cigarette tax, shall be made to  
6 the New Mexico finance authority for deposit in the credit  
7 enhancement account created in the authority.

8 H. A distribution pursuant to Section 7-1-6.1 NMSA  
9 1978 shall be made to the behavioral health capital fund in an  
10 amount equal to two percent of the net receipts, exclusive of  
11 penalties and interest, attributable to the cigarette tax."

12 Section 2. APPROPRIATION. -- Seven million dollars  
13 (\$7,000,000) is appropriated from the general fund to the  
14 behavioral health capital fund for expenditure in fiscal year  
15 2006 and succeeding fiscal years for the purpose of making  
16 loans to eligible entities for capital projects pursuant to the  
17 Behavioral Health Capital Funding Act. Any unexpended or  
18 unencumbered balance remaining at the end of a fiscal year  
19 shall not revert to the general fund.